

# §157.43 Certification

## GETAC DRAFT 2 – 02/11/2005

### Legend:

Current Language - Normal font

New Language - Underscored

**[Deleted Language]** - Strikethrough, Bold & Brackets

Staff Recommendation

Legal Recommendation

### §157.43 Course Coordinator Certification

#### (a) General.

(1) A course coordinator is an individual who has the overall responsibility for conducting an emergency medical services (EMS) training course in under the direction of an approved EMS training program (program).

(2) A course coordinator must be certified as at least an emergency medical technician (EMT), and must be certified or licensed at or above the level of the course being coordinated.

(3) Course coordinator certification is dependent on the individual's EMS personnel certification and is subject to the same status as that personnel certification. If the department imposes disciplinary action in accordance with §157.16 of this title (relating to Emergency Suspension, Suspension, Probation, Revocation or Denial of a Provider License) or §157.36 of this title (relating to Criteria for Denial and Disciplinary Actions for EMS Personnel and Voluntary Surrender of a Certificate or License), the action shall also be imposed automatically and immediately on the individual's course coordinator certification.

(b) Levels of certification. Course coordinators may be certified as a basic coordinator or as an advanced coordinator.

~~[(e) Currently certified course coordinators. Course coordinators certified on the effective date of this rule shall be considered to have met the requirements of subsection (d) or (e) of this section appropriate to their current level of certification.]~~

(c) ~~(d)~~ Basic coordinator requirements. To be certified as a basic course coordinator, the candidate shall:

(1) submit an application for basic course coordinator certification along with the nonrefundable fee of \$60 to the Texas Department of Health (department) except a fee shall not be required if compensation is not received for coordinating training courses or programs;

(2) have at least two years of EMS instructional experience ~~[been a certified EMS instructor for at least two consecutive years;]~~

## §157.43 Certification GETAC DRAFT 2 – 02/11/2005

(3) have documented not less than 120 hours of instruction for initial EMS  
certificants; ~~[or have successfully conducted an EMT-Basic course;]~~

(4) submit documentation that the candidate is an effective instructor from an  
existing course coordinator and/or program director. ~~[submit documentation of positive  
evaluations as a certified instructor.]~~

(5) be affiliated with and operate under the supervision of a licensed provider, an  
EMS medical director, a teaching hospital, a regionally accredited post-secondary educational  
institution and/or a health care institution accredited by an organization recognized by the  
department;

**[(6) submit letters of intent from qualified providers of clinical and field  
internship experience;]**

(6) ~~[(7)]~~ have successfully completed a department-sponsored course coordinator  
training course; and

(7) ~~[(8)]~~ after completing all the above requirements, pass the EMS coordinator  
exam and retest, if necessary, no later than one year after course completion date. The  
nonrefundable retest fee is \$30, except a fee shall not be required if compensation is not received  
for coordinating training courses or programs. If requirements are not completed within one year  
after course completion date, the candidate must meet the requirements of subsection (d) of this  
section including the completion of another initial course to be certified.

(d) ~~[(e)]~~ Advanced coordinator requirements. To be certified as an advanced course  
coordinator, the candidate shall:

(1) submit an application for advanced course coordinator certification along with  
the nonrefundable fee of \$60 to the department; except a fee shall not be required if  
compensation is not received for coordinating training courses or programs;

(2) have an associate degree, a bachelor degree, or an advanced degree;

(3) have been a certified EMS instructor for at least four consecutive years or as a  
basic course coordinator for two consecutive years;

(4) have documented not less than 120 hours of instruction for initial EMS  
certificants;

(5) submit documentation of positive evaluations as a certified instructor or as a  
basic coordinator;

(6) be affiliated with and operate under the supervision of a regionally accredited  
post-secondary educational institution, a health care institution accredited by an organization

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

recognized by the department, or another entity approved by the department. ~~[to sponsor an advanced training program in accordance with §157.32 of this title (relating to EMS Education Program and Course Approval);]~~

~~[(7) submit a letter of intent from qualified providers of clinical and field internship experience;]~~

(7) If the applicant is not affiliated with an entity as described in (e)(6) of this section the applicant must submit a self study as described in 157.32 of this title for advanced program approval and must be in compliance with established EMS education standards outlined in the Education and Training Manual.

(8) have successfully completed a department-sponsored course coordinator training course;

(9) after completing all the above requirements, pass the EMS coordinator exam and retest, if necessary, no later than one year after course completion date. The nonrefundable retest fee is \$30, except a fee shall not be required if compensation is not received for coordinating training courses or programs. If requirements are not completed within one year after course completion date, the candidate must meet the requirements of subsection (e) of this section including the completion of another initial course to be certified; and

(10) candidates who hold current basic coordinator certification and are applying for advanced coordinator certification must complete all requirements of this subsection except paragraphs (d) ~~[(e)]~~(8) and (d) ~~[(e)]~~(9) of this subsection.

(e) ~~[(f)]~~ Period of Certification. After verification by the department of the information submitted by the candidate, the candidate who meets the requirements of the applicable subsection (c) ~~[(d)]~~ or (d) ~~[(e)]~~ of this section shall be certified as a ~~[(n)]~~ course coordinator for two years commencing on the date of issuance of the certificate.

(f) ~~[(g)]~~ Course coordinator training. All course coordinator courses shall be conducted by the department or by the department in conjunction with a regionally accredited post-secondary educational institution approved by the department to sponsor a training program. ~~[Criteria for admission to coordinator training shall be as follows:]~~ The candidate for admission to course coordinator training will meet the requirements of subsection (c) or (d) of this section as appropriate to the level of certification desired. Candidates will be given seats based on the following priorities:

~~[(1) the candidate for admission to course coordinator training will meet the requirements of subsection (d) or (e) of this section as appropriate to the level of certification desired;~~

~~(2) the candidate shall submit a resume and completed application to the appropriate department regional EMS office;~~

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

~~(3) the appropriate department regional EMS director will forward the application and attachments to the appropriate training facility with a recommendation regarding the candidate's admission status; and~~

~~(4) successful candidates will be given a seat in the class based on availability and admissions requirements.]~~

(1) individuals recognized by the department as an emergency coordinator;

(2) need for training in an area where a certified course coordinator is not available within a reasonable distance and training is unavailable;

(3) the probable adverse consequences to prehospital emergency care; and

(4) availability and admissions requirements.

(g) ~~(h)~~ Responsibilities. Course coordinator shall have the following responsibilities:

(1) plan for and evaluate the overall operation of assigned courses;

(2) provide supervision and oversight for assigned courses;

(3) act as liaison between the students, personnel instructing in assigned courses, the program, and the department;

(4) coordinate submission of course approval documents and fees, if applicable, for assigned courses to the department as defined in the Education and Training Manual;

(5) assure availability of classrooms and other facilities necessary to provide for the instruction and convenience of students enrolled in assigned courses;

~~(6) [in cooperation with the training program,]~~ process student applications, verify prerequisites, and select students;

(7) schedule classes and assign program instructors;

(8) assure that training equipment and supplies are available and operational for each laboratory session;

(9) maintain effective relationships with clinical and field internships facilities necessary to meeting the instructional objectives of assigned courses;

(10) develop field internship and clinical objectives for assigned courses;

(11) train and evaluate internship preceptors;

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(12) ~~[in cooperation with the training program,]~~ maintain all program and course records for a minimum of five years;

(13) ~~[in cooperation with the training program]~~ coordinate course written examinations, skills proficiency verifications, and other student evaluations;

(14) ~~[in cooperation with the training program]~~ evaluate the effectiveness of the personnel who instruct in assigned courses;

(15) ~~[in cooperation with the training program]~~ supervise and evaluate the effectiveness of the clinical and field internship training for assigned courses;

(16) ~~[in cooperation with the training program]~~ attest to the successful course completion of all students who meet the program's requirements for completion;

(17) ensure instructors and students understand the requirements, processes, and paperwork necessary to obtain Texas EMS certification or licensure;

(18) adhere to the curriculum standards as referenced in 157.32; and

(19) adhere to the standards outlined in the department's EMS Education and Training Manual.

(20) notify the department and begin conducting investigations within 5 days of receiving any information, verbal or written complaint, or allegation of misconduct regarding any personnel instructing in a course.

(21) submit a written investigation report to the department within 30 days after receiving information, verbal or written complaint, or allegation of misconduct regarding any personnel instructing in a course. Upon reasonable request an extension of the deadline to submit the investigation report may be granted by the department.

(h) ~~[(i)]~~ Emergency Coordinator ~~[Exception]~~. A program may request the department to ~~[grant an exception to]~~ allow a person not currently certified as a course coordinator to temporarily perform the duties listed in subsection (g) ~~[(h)]~~ of this section.

(1) Such request must be submitted in writing and must include the following:

(A) documentation of the urgency of the situation;

(B) a letter from the program endorsing the individual who is to temporarily perform the duties of course coordinator; and

~~[(C) letters of intent from qualified providers of clinical and field internship experiences appropriate to the level of training to be offered; and]~~

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(C) letter of support from the medical director of the program.

~~[(D) a letter of intent from a medical director.]~~

(2) In determining whether the request ~~[for an exception]~~ is to be approved or denied, the department shall consider but not be limited to the following issues:

(A) resignation of a previous course coordinator or the inability of a course coordinator to complete a current training course;

(B) need for training in an area where a certified course coordinator is not available within a reasonable distance and training is unavailable; ~~[through no outreach or distance learning technology;]~~ and

(C) the probable adverse consequences to prehospital emergency care: if the request ~~[exception]~~ is not approved.

(3) After evaluation by the department, the program shall be notified, in writing, of the approval or denial of the request.

(4) An individual who is approved shall be considered an emergency ~~[temporary]~~ course coordinator for not more than two years. If all requirements for course coordinator certification are not met in the two-year period, the approved training program with which the coordinator is affiliated must demonstrate a continuing need. ~~[for the exception.]~~ If the department does not issue a continuance, ~~[continue the exception, temporary status shall cease and]~~ the individual may no longer function as an emergency ~~[temporary]~~ course coordinator.

(i) ~~[(j)]~~ Recertification.

(1) Prior to the expiration of a course coordinator certificate, the department shall send a notice of expiration to the certificant at the address shown in the current records of the department. It is the responsibility of course coordinators to notify the department within 30 days of any change of address.

(2) If a certificant has not received notice of expiration from the department 30 days prior to the expiration, it is the duty of the certificant to notify the department and request an application for recertification. ~~[Failure to apply for recertification shall result in expiration of the certificate.]~~

(3) To be eligible for recertification, the course coordinator shall meet recertification requirements during the latest coordinator certification period and:

(A) maintain active EMS certification as required in subsection (a)(2) of this section;

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(B) attend departmental ~~regional~~ updates for course coordinator as required by the department;

~~[(C) maintain association with:~~

~~(i) an approved basic or advanced program if recertifying as a basic coordinator;~~

~~(ii) an approved advanced program if recertifying as an advanced coordinator;~~

~~(D) maintain affiliation with entities which provide clinical and field internship experience;]~~

~~(C) [(E)]~~ submit an application for recertification and a nonrefundable fee as in subsection (c) ~~[(d)]~~ or (d) ~~[(e)]~~ of this section;

(4) After verification by the department of the information submitted the course coordinator who meets the requirements of subsection (c) ~~[(d)]~~ or (d) ~~[(e)]~~ of this section shall be recertified for two years commencing on the date following the expiration of the last certificate.

(j) ~~[(k)]~~ Late recertification.

(1) An application for recertification shall be considered late if the application and nonrefundable fee are received after the most recent certificate has expired and if all requirements for recertification are not met prior to the expiration ~~end~~ of the most recent certification period.

(2) A course coordinator who has not recertified prior to the expiration ~~end~~ of his most recent certification period is not certified and may not perform the duties of a course coordinator.

(k) ~~[(l)]~~ To be eligible for recertification, the candidate shall meet the following:

(1) A candidate whose certificate has been expired for 90 days or less may renew the certificate by submitting an application and paying a nonrefundable renewal fee that is equal to 1-1/2 times the normally required application renewal fee for that level as listed in subsection (c) ~~[(d)]~~ or (d) ~~[(e)]~~ of this section.

(2) A candidate whose certificate has been expired for more than 90 days but less than one year may renew the certificate by submitting an application and paying a nonrefundable renewal fee that is equal to two times the normally required application renewal fee as listed in subsection (c) ~~[(d)]~~ or (d) ~~[(e)]~~ of this section.



## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(3) A candidate must complete ~~of~~ all requirements for recertification no later than one year after the expiration of the most recent certificate.

(4) After verification by the department of the information submitted by the candidate, the candidate who meets the requirements of this subsection shall be recertified for two years commencing on the day of issuance of a certificate.

(5) A candidate whose certification is expired more than one year must meet the requirements of subsection (c) ~~[(d)]~~ or (d) ~~[(e)]~~ of this section including the completion of another initial course to be certified.

(l) ~~[(m)]~~ Disciplinary actions.

(1) Administrative penalty. The department may impose an administrative penalty on a course coordinator not to exceed \$7,500 per day per violation of the Health and Safety Code or the rules adopted thereunder.

(2) Emergency suspension. The ~~[(bureau chief of the Bureau of Emergency Management (bureau)]~~ department may issue an emergency order to suspend an course coordinator's certification if the ~~[(bureau chief)]~~ department, has reasonable cause to believe [the conduct] [continued activity by] of the [individual] certificant constitutes a threat to the public health and safety.

(A) An emergency suspension shall be effective immediately without a hearing or notice to the certificate holder. Notice shall be established on the date that a copy of the signed emergency suspension order is sent to the address shown in the current records of the department. Notice shall also be given to any sponsoring entity.

(B) If a written request for a hearing is received from the certificate holder within 15 days of the suspension, the department shall conduct a hearing not later than the 30th day after the date on which a hearing request is received to determine if the emergency suspension is to be continued, modified, or rescinded. The hearing and appeal from any disciplinary action related to the hearing shall be governed by the Administrative Procedure Act, Government Code, Chapter 2001.

(3) Suspension or revocation. The department may suspend or revoke a certificate it has issued to an EMS coordinator. A course coordinator's certification may be suspended or revoked for, but not limited to the following:

(A) failing to maintain active status EMS personnel certification at the appropriate level;

(B) failing to comply with the responsibilities of a course coordinator as defined in subsection (g) ~~[(h)]~~ of this section;



## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(C) falsifying or assisting another person in falsifying an application for EMS certification or licensure;

(D) falsifying or assisting another person in falsifying a program approval application, a self-study, a course approval application, or any supporting documentation;

(E) falsifying or assisting another person in falsifying a course completion certificate or any other document that records or verifies course activity and/or is a part of the course record;

(F) assisting another person in attempting to obtain or to ~~attempt to~~ obtain personnel certification or recertification by fraud, deception, falsification, theft, misappropriation, coercion, forgery, deception, or misrepresentation;

(G) failing to complete and submit the course applications and student documents within established time frames;

(H) coordinating or attempting to coordinate a course above the coordinator's level of certification;

(I) compromising or failing to maintain the order, discipline and fairness of a department-approved course or program;

(J) allowing inadequate class presentations in a course for which the coordinator is responsible;

(K) demonstrating a lack of supervision of personnel instructing in courses for which the coordinator is responsible;

(L) compromising an examination or examination process administered or approved by the department;

(M) cheating or assisting another person in cheating on an EMS examination, other evaluation or any other activity offered, ~~or~~ conducted or approved by the department, a training program approved by the department, or a provider licensed by the department;

(N) accepting ~~[any benefit to which there is no entitlement or]~~ benefits ~~[in any manner]~~ through by fraud, deception, falsification, theft, misappropriation, coercion, forgery, deception, or misrepresentation ~~[fraud, deception, falsification, misrepresentation, theft, misappropriation, or coercion]~~;

(O) failing to maintain appropriate policies, procedures and safeguards to ensure the safety of students, instructors, ~~[or other]~~ class participants or other persons;

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(P) allowing ~~recurrent~~ use of inadequate, inoperable, or malfunctioning equipment;

(Q) failing to maintain the fiscal integrity of a course for which the coordinator is responsible;

(R) issuing a check to the department which is returned unpaid;

(S) failing to maintain education program and course records;

(T) failing ~~demonstrating unwillingness or inability~~ to comply with the Health and Safety Code and/or the rules adopted thereunder;

(U) failing to timely provide ~~give~~ the department true and complete information when requested ~~{asked regarding any alleged or actual violation of the Health and Safety Code, or the rules adopted thereunder, or failing to report a violation}~~;

(V) functioning or attempting to function as a course coordinator during a period of suspension which may be cause for suspension of the coordinator certification; and/or

(W) committing any violation during ~~a~~ an administrative or criminal probationary period.

(X) Failing to report a violation of the Health and Safety Code, or the rules adopted thereunder;

(Y) failure to notify the department when any current student or certified or licensed program employee is arrested or convicted for any crime;

(Z) conviction of a crime which directly relates to the profession of EMS personnel or EMS educators as described in §157.37 of this title;

(AA) making a plea of no contest or agreeing to a deferred adjudication or deferred prosecution to resolve any criminal charge against the applicant which such criminal charge relates or could relate to the candidate's ability to carry out the out EMS duties and/or the responsibilities of an EMS Course Coordinator;

(BB) receiving a deferred adjudication in a criminal action which relates or could relate to the candidate's ability to carry out EMT duties and/or the responsibilities of an EMS Course Coordinator;

(CC) failing to maintain a substantial amount of skill, knowledge and/or academic acuity to timely and/or accurately carry out the duties of an EMS Course Coordinator;

## **§157.43 Certification**

### **GETAC DRAFT 2 – 02/11/2005**

(DD) having exhibited or currently exhibiting conduct or a pattern of behavior that may indicate a mental or emotional instability that diminishes or affects the ability to carry out the duties and/or responsibilities of an EMS Course Coordinator and/or to comply with the Health and Safety Code, or the rules adopted thereunder.

(m) Criteria for Denial of Application for Certification or Renewal of Certification – An application may be denied for, but not limited to, the following reasons:

(1) failing to meet standards as required in this section;

(2) previous conduct on the part of the applicant during the performance of duties relating to the responsibilities of EMT personnel or an EMS Course Coordinator that is contrary to accepted standards of conduct as described in Chapter 157 of these rules;

(3) conviction of a crime which directly relates to the profession of EMT personnel or EMS Course Coordinators as described in §157.37 of this title;

(4) receiving a deferred adjudication in a criminal action which relates or could relate to the candidate's ability to carry out EMT duties and/or the responsibilities of an EMS Course Coordinator;

(5) disciplinary action relating to a certificate or license issued in another state;

(6) falsifying any Texas application for certification or licensure or falsifying any application or documentation used to acquire registration, certification or licensure;

(7) issuing a check for any reason to the department which has been returned to the department or its agent for any reason;

(8) misrepresenting any requirements for certification or licensure;

(9) making a plea of no contest or agreeing to a deferred adjudication or deferred prosecution to resolve any criminal charge against the applicant which such criminal charge relates or could relate to the candidate's ability to carry out the out EMT duties and/or the responsibilities of an EMS Course Coordinator;

(10) receiving a deferred adjudication in a criminal action which relates or could relate to the candidate's ability to carry out EMT duties and/or the responsibilities of an EMS Course Coordinator;

(11) failing to maintain a substantial amount of skill, knowledge and/or academic acuity to timely and/or accurately carry out the duties of an EMS Course Coordinator;

## §157.43 Certification

### GETAC DRAFT 2 – 02/11/2005

(12) having exhibited or currently exhibiting conduct or a pattern of behavior that may indicate a mental or emotional instability that diminishes or affects the ability to carry out the duties of an EMS Course Coordinator.

(13) committing a violation as listed in subsection (l)(3) of this section.

(n) ~~[(4)]~~ Notification. If the department proposes to deny, suspend or revoke a course coordinator certificate or assess an administrative penalty, the certificant or applicant ~~{course coordinator}~~ shall be notified at the address shown in the current records of the department. The notice must state the alleged facts or conduct warranting the action and state that the certificant or applicant ~~{course coordinator}~~ has an opportunity to request a hearing in accordance with the Administrative Procedure Act, Government Code, Chapter 2001.

(1) The certificant or applicant ~~{course coordinator}~~ may request a hearing within 15 days after the date of the notice. This request shall be in writing and submitted to the bureau chief.

(2) If the certificant or applicant ~~{course coordinator}~~ does not request a hearing within 15 days after the date of the notice of opportunity, the certificant or applicant ~~{course coordinator}~~ waives the opportunity for a hearing and the department shall implement its proposal.

(o) ~~[(5)]~~ Probation. The department may probate any penalty assessed under this section and may specify terms and conditions of any probation issued.

(p) ~~[(6)]~~ Reapplication.

(1) ~~[(A)]~~ Two years after the revocation or denial of a certificate, an individual may petition the department, in writing, for the opportunity to reapply for certification.

(2) ~~[(B)]~~ The department shall evaluate the petition and may allow or deny the opportunity to reapply for certification.

(3) ~~[(C)]~~ in evaluating a petition for permission to reapply for certification the department shall consider but is not limited to the following issues:

(A) ~~[(i)]~~ the likelihood of a repeat of the actions or inactions that led to revocation or denial;

(B) ~~[(ii)]~~ the petitioners overall record as a course coordinator;

(C) ~~[(iii)]~~ letters of support or recommendation;

(D) ~~[(iv)]~~ letters of protest or nonsupport of the petition; and

## **§157.43 Certification**

### **GETAC DRAFT 2 – 02/11/2005**

(E) ~~[(v)]~~ the need for the services of a course coordinator in the given area the course coordinator would serve.

(4) ~~[(D)]~~ The petitioner shall be notified of the department's decision to allow or deny the submission of reapplication for certification within 60 days of the submission of the request.

(5) ~~[(E)]~~ A course coordinator whose certificate expires during a suspension or revocation period may not petition to reapply for certification until the end of the suspension or revocation period.

(q) ~~[(a)]~~ For all applications and renewal applications, the department ~~[(or the board)]~~ is authorized to collect subscription and convenience fees, in amounts determined by the Texas Online Authority, to recover costs associated with application and renewal application processing through Texas Online.